



*Village of Wellington*

# **REGULAR MEETING OF THE WELLINGTON VILLAGE COUNCIL**

**Darell Bowen, Mayor  
Dr. Carmine A. Priore, Vice Mayor  
Lizbeth Benacquisto, Councilwoman  
Robert S. Margolis, Councilman  
Matt Willhite, Councilman**

**Wellington Community Center  
12165 West Forest Hill Boulevard  
Wellington, Florida**

**TUESDAY, DECEMBER 9, 2008  
7:00 PM  
SHELL**

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. INVOCATION** - Rev. Rainer Richter, St.Peter's United Methodist Church,  
Wellington
- 4. APPROVAL OF AGENDA**
- 5. CONSENT AGENDA**
  - A. MINUTES OF THE OCTOBER 28, 2008 AND NOVEMBER 10, 2008 REGULAR  
VILLAGE COUNCIL MEETINGS**

Approval of the Minutes of the October 28, 2008 and November 10, 2008 Regular  
Village Council meetings.
  - B. RESOLUTION R2008-134 (AGREEMENT WITH NORTH AMERICAN  
STRATEGIES, INC.)**

**A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF  
WELLINGTON, FLORIDA APPROVING AND AUTHORIZING THE VILLAGE  
MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT WITH NORTH**

**AMERICAN STRATEGIES, INC. TO PROVIDE CONSULTING SERVICES FOR GOVERNMENT RELATIONS REPRESENTATION AND COUNSEL BEFORE THE APPROPRIATE STATE AGENCIES; PROVIDING AN EFFECTIVE DATE.**

This item is to request approval of Resolution No. R2008-134 for agreement with North American Strategies, Inc. to provide consulting services for government relations representation and counsel before the appropriate State agencies. The consulting services for government relations representation is estimated to be \$75,000.00 and funds are appropriated in the FY2008/2009 for these services.

**C. RESOLUTION R2008-138 (BANKING SERVICES)**

**A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF WELLINGTON, FLORIDA AUTHORIZING BANK OF AMERICA TO PROVIDE BANKING SERVICES AND DESIGNATING SIGNATORIES ON ACCOUNTS; AND PROVIDING AN EFFECTIVE DATE.**

Village Council approval for award of the Banking Services, Invitation to Negotiate (ITN) #023-08/JWV to Bank of America. This contract shall be for two (2) years and may be renewed for two (2) additional two (2) year periods by mutual agreement between the Village and the awardee.

**D. ARESOLUTION 2008-137 (AUTHORIZE MOCK ROOS TO PROVIDE ADDITIONAL ENGINEERING SERVICES RELATED TO SECTION 24 IMPOUNDMENT PROJECT)**

Village Council authorization for Mock Roos to proceed with additional Section 24 Project engineering services. Eight tasks, not included as part of the initial engineering scope of services, will be completed at a cost of \$80,975. Budget Amendment #2008-14 allocated \$21,000,000 to cover total project costs.

**E. AUTHORIZE UTILIZATION OF PALM BEACH COUNTY ANNUAL PATHWAY AND MINOR CONSTRUCTION CONTRACT CONTRACT #2009053**

Request the approval to utilize Palm Beach County Annual Pathway and Minor Construction Contract #2009053 awarded to Charles S. Whiteside for various pathway and minor construction projects within the Village on an as-needed basis. Funding is available in the FY2008/2009 CIP Budget for Pedestrian Pathways and Roadway Overlay budget.

**F. APPROVAL OF ADDITIONAL BEAUTIFUL WELLINGTON GRANT CYCLE FOR THE CURRENT FISCAL YEAR (2008-09)**

Motion to approve an Additional Beautiful Wellington Grant Cycle for Fiscal Year 2008-09, as further delineated in the explanation below.

**G. RESOLUTION R2008-136 (AWARD OF BEAUTIFUL WELLINGTON GRANTS (TIER I - TOTAL \$21,065))**

**A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF WELLINGTON, FLORIDA APPROVING BEAUTIFUL WELLINGTON GRANTS, TIER I FOR STRUBRIDGE VILLAGE AND OLYMPIA; AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO GRANTS AGREEMENTS TO EFFECTUATE THE GRANTS; AND PROVIDING AN EFFECTIVE DATE**

Village Council acceptance of Resolution R2008-136 Award Beautiful Wellington Grants Tier I.

**H. RESOLUTION R2008-139 (APPROVAL OF PURCHASE OF ESRI ENTERPRISE LICENSE AGREEMENT)**

ESRI provides the database and client software applications which power the Village's Geographic Information Systems (GIS) offerings. Currently, the software is licensed in a manner which requires multiple individual license agreements and is difficult to manage and implement processes. The Enterprise License Agreement (ELA) is a new program offering from ESRI which grants a "site" license to the Village for all of ESRI's database, web, and client software applications. The ELA is a three (3) year program which grants use, maintenance, training, and support of all necessary applications. The costs of the ELA is \$35,000 per year. Staff requests council approval of the purchase of and entry into the ELA.

**I. RESOLUTION R2008-132 (LOTS 17 AND 18 VACATION/ABANDONMENT)**

**A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF WELLINGTON, FLORIDA, TO VACATE, ABANDON, DISCONTINUE AND CLOSE A 12 FEET WIDE UTILITY EASEMENT TOTALING APPROXIMATELY 2,452 SQUARE FEET LOCATED WITHIN LOTS 17 AND 18, BLOCK 16 OF WELLINGTON AERO CLUB; AND PROVIDING AN EFFECTIVE DATE.**

To vacate/abandon a 12 feet wide Utility Easement totaling approximately 2,452 square feet between Lots 17 and 18, Block 16 of Wellington Aero Club of The Landings at Wellington PUD, as recorded in Official Record Book 38 on Pages 159 through 164 of the Public Records of Palm Beach County, Florida.

**J. RESOLUTION R2008 -133 (MUPD "F" OF THE MALL AT WELLINGTON GREEN VACATION/ABANDONMENT)**

**A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF WELLINGTON, FLORIDA, TO VACATE, ABANDON, DISCONTINUE AND CLOSE A 27 FEET WIDE WATERLINE EASEMENT TOTALING APPROXIMATELY 30,928 SQUARE FEET, AND A 20 FEET WIDE TEMPORARY ACCESS EASEMENT TOTALING APPROXIMATELY 14,988 SQUARE FEET LOCATED WITHIN MUPD**

**F / TRACT F OF THE MALL AT WELLINGTON GREEN; AND PROVIDING AN EFFECTIVE DATE.**

To vacate/abandon a 27 feet wide Waterline Easement totaling approximately 30,928 square feet, and 20 feet wide Temporary Access Easement totaling approximately 14,988 square feet located within MUPD "F" / Tract "F" of the Mall at Wellington Green, recorded in Official Record Book 111, Pages 176 through 182 of the Public Records of Palm Beach County, Florida.

**K. RENEWAL OF STUDENT ENRICHMENT PROGRAM FUNDING AND READING CHALLENGE GRANT PROGRAM FUNDING FOR WELLINGTON SCHOOLS**

Approval of Student Enrichment Program funding to Wellington middle and high schools for the 2008/09 school year in the amount of \$41,995 and the Challenge Grant for Reading Resources to Wellington elementary schools in the amount of \$150,000.

**L. RESOLUTION R2008-140 (PROFESSIONAL CENTER AT WELLINTGTON, LLC.)**

**A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF WELLINGTON, FLORIDA, APPROVING AND AUTHORIZING THE MAYOR AND VILLAGE CLERK TO EXECUTE AN ADDENDUM TO THE AGREEMENT BETWEEN THE VILLAGE OF WELLINGTON, PROFESSIONAL CENTER AT WELLINGTON, LLC AND REIKER AND ASSOCIATES INC., PERTAINING TO THE INSTALLATION OF REQUIRED PAVING AND DRAINAGE IMPROVEMENTS FOR SOUTH SHORE BOULEVARD, FROM GREENVIEW SHORES BOULEVARD TO PIERSON ROAD; PROVIDING FOR THE REIMBURSEMENT OF ADDITIONAL CONTRACTING AND ENGINEERING FEES; AND PROVIDING AN EFFECTIVE DATE.**

Approval of a change order to the reimbursement contract with Professional Center of Wellington, LLC, providing for payment of an additional \$18,000.00 in engineering fees and \$58,753.12 in construction fees.

**6. PRESENTATIONS AND PROCLAMATIONS**

**A. PBSO DISTRICT 8 - ANNUAL REPORT**

Captain Gregory Richter will present the Palm Beach County Sheriff's Annual Report to Council.

**7. PUBLIC HEARINGS**

**A. RESOLUTION R2008-117 (HOME AWAY FROM HOME 1997 – 010 CU 1)**

**A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF WELLINGTON, FLORIDA, APPROVING A CONDITIONAL USE APPLICATION FOR PETITION NUMBER 1997-010 CU1, ALSO KNOWN AS HOME AWAY FROM HOME; A CONDITIONAL USE APPLICATION TO ALLOW A 8,618 SQUARE FOOT DAY CARE CENTER IN A PLANNED UNIT DEVELOPMENT ZONING DISTRICT; SUBJECT TO CONDITIONS; FOR THE PROPERTY LOCATED IN THE SOUTHEAST CORNER OF BINKS FOREST DRIVE AND BENT CREEK ROAD ON PROFESSIONAL WAY, AS MORE SPECIFICALLY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE.**

The petitioner is requesting Conditional Use approval for a day care center.

**B. RESOLUTION R2008-111 (COUNTRY PLACE PUD LOT 1 POD F)**

**A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF WELLINGTON, FLORIDA, APPROVING THE DEVELOPMENT ORDER AMENDMENT FOR PETITION NUMBER 2007-023 DOA 1, ALSO KNOWN AS COUNTRY PLACE PLANNED UNIT DEVELOPMENT; RELATING TO APPROXIMATELY 13 ACRES WITHIN POD F, LOT 1 AND A PORTION OF POD 2, LOT 2; LOCATED APPROXIMATELY ONE-HALF MILE SOUTH OF PIERSON ROAD AND ONE MILE WEST OF SOUTH SHORE BOULEVARD, AS DESCRIBED MORE PARTICULARLY HEREIN; MODIFYING THE PREVIOUSLY APPROVED MASTER PLAN TO VACATE RESOLUTION 98-76 WHICH RESTRICTS THE SUBJECT SITE TO COMMERCIAL EQUESTRIAN USE AND TO RESTORE TO THE RESIDENTIAL USES ALLOWED BY THE COMPREHENSIVE PLAN AND THE LAND DEVELOPMENT REGULATIONS; AND PROVIDING AN EFFECTIVE DATE.**

The petitioner is requesting a Development Order Amendment (DOA) to modify the previously approved master plan to vacate Resolution 1998-76 which restricts the 13 acre subject site to Commercial Equestrian use and to restore to the residential uses currently allowed by the Comprehensive Plan and the Land Development Regulations.

**C. RESOLUTION R2008-116 (WELLINGTON PRESERVE DOA AND MPA)**

**A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF WELLINGTON, FLORIDA, APPROVING THE DEVELOPMENT ORDER AMENDMENT AND MASTER PLAN AMENDMENT TO THE ORANGE POINT PLANNED UNIT DEVELOPMENT (PUD) AS PROVIDED IN PETITION NUMBER 1996-3 DOA AND MPA5, ALSO KNOWN AS WELLINGTON TRAINING CLUB, FOR 66 ACRES, MORE OR LESS, LOCATED ON THE SOUTH SIDE OF 50TH**

**STREET BETWEEN 120TH AVENUE SOUTH AND 130TH AVENUE, AS DESCRIBED MORE PARTICULARLY HEREIN; PROVIDING FOR THE FOLLOWING: VACATING RESOLUTION R2007-98 TO ALLOW A COMMERCIAL EQUESTRIAN ARENA AS A CONDITIONAL USE; VACATING RESOLUTION R2007-99 WHICH AMENDED THE MASTER PLAN OF THE ORANGE POINT PUD; VACATING TO ALLOW COMMERCIAL EQUESTRIAN ARENA CONSISTING OF A GRAND PRIX FIELD, A DERBY FIELD, CHAMPIONSHIP ARENA, PERMANENT AND TEMPORARY STABLE AREA, PERMANENT EXHIBITOR PARKING AREAS, PERMANENT PATHS, GOLF CART PATHS, PEDESTRIAN PATHS, AND OTHER ANCILLARY USES TO THE 179 ACRES FORMERLY KNOWN AS WELLINGTON PRESERVE, TO BE KNOWN AS THE WELLINGTON INTERNATIONAL EQUESTRIAN SHOWGROUNDS (WIES); AMENDING THE MASTER PLAN TO PROVIDE FOR A RECREATIONAL AMENITY OF APPROXIMATELY 66 ACRES WITHIN WELLINGTON PRESERVE, TO BE KNOWN AS THE WELLINGTON TRAINING CENTER; AMENDING THE MASTER PLAN TO PROVIDE FOR ADDING A SECOND ENTRANCE FROM 50TH STREET; AND RECONFIGURING AND ENLARGING SPECIFIC LOTS WITHIIN WELLINGTON PRESERVE; AND PROVIDING AN EFFECTIVE DATE. ENTER TITLE HERE**

The owner is requesting approval of a Development Order Amendment (DOA) and Master Plan Amendment consisting of the following:

- (1) vacating Resolution R2007-98 to allow a commercial equestrian arena as a conditional use;
- (2) vacating Resolution R2007-99 which amended the Master Plan of the Orange Point PUD vacating to allow commercial equestrian arena consisting of a grand prix field, a derby field, championship area, permanent and temporary stable area, permanent exhibitor parking areas, permanent administrative offices, horse exercise areas, horse bridle paths, golf cart paths, pedestrian paths, and other ancillary uses to the 179 acres formerly known as Wellington International Equestrian Showgrounds (WIES);
- (3) amending the Master Plan to provide for a recreational amenity of approximately 66 acres within Wellington Preserve, to be known as The Wellington Training Center;
- (4) amending the Master Plan to provide for adding a second entrance from 50th Street; and
- (5) reconfiguring and enlarging specific lots within Wellington Preserve.

**D. UNIFORM METHOD OF COLLECTING NON-AD VALOREM ASSESSMENTS FOR THE VILLAGE OF WELLINGTON AND ACME IMPROVEMENT DISTRICT**

**(A) RESOLUTION NO. R2008-135: A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF WELLINGTON, FLORIDA EXPRESSING THE INTENT OF THE VILLAGE TO USE THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM ASSESSMENTS AS AUTHORIZED AND PERMITTED BY SECTION**

**197.3632, FLORIDA STATUTES; EXPRESSING THE NEED FOR THE LEVY OF NON-AD VALOREM ASSESSMENTS AND SETTING FORTH THE LEGAL DESCRIPTION OF THE REAL PROPERTY WITHIN THE VILLAGE'S JURISDICTIONAL BOUNDARIES THAT MAY OR SHALL BE SUBJECT TO THE LEVY OF VILLAGE NON-AD VALOREM ASSESSMENTS; AND PROVIDING AN EFFECTIVE DATE; AND (B) RESOLUTION NO. AC2008-08: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE ACME IMPROVEMENT DISTRICT EXPRESSING THE INTENT OF THE DISTRICT TO CONTINUE TO USE THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM ASSESSMENTS AS AUTHORIZED AND PERMITTED BY SECTION 197.3632, FLORIDA STATUTES; EXPRESSING THE NEED FOR THE LEVY OF NON-AD VALOREM ASSESSMENTS AND SETTING FORTH THE LEGAL DESCRIPTION OF THE REAL PROPERTY WITHIN THE DISTRICT'S JURISDICTIONAL BOUNDARIES THAT MAY OR SHALL BE SUBJECT TO THE LEVY OF DISTRICT NON-AD VALOREM ASSESSMENTS; AND PROVIDING AN EFFECTIVE DATE.**

Staff is recommending approval of: (a) Resolution No. R2008-135 for the Village of Wellington and (b) AC2008-08 for Acme Improvement District for the Uniform Method of Collecting Non-Ad Valorem Assessments.

## **8. REGULAR AGENDA**

### **A. ORDINANCE 2008-20 EVALUATION AND APPRAISAL REPORT**

**AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF WELLINGTON, FLORIDA, AMENDING THE VILLAGE OF WELLINGTON COMPREHENSIVE PLAN BY INCORPORATING THE VILLAGE'S EVALUATION AND APPRAISAL REPORT REVISIONS, AS REQUIRED BY FLORIDA STATUTE 163.3191; BY AMENDING THE TEXT OF THE COMPREHENSIVE PLAN, AFFECTING THE PAGINATION IN EACH AMENDED ELEMENT AND INCLUDING THE REVISED TEXT NECESSARY TO UPDATE THE COMPREHENSIVE PLAN; PROVIDING THAT THE TEXT, AS AMENDED OR REVISED, SHALL BE SUBSTITUTED FOR AND REPLACE THE EXISTING TEXT IN ALL AMENDED ELEMENTS; AUTHORIZING THE TRANSMITTAL OF THE AMENDMENT TO THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS; AUTHORIZING THE VILLAGE MANAGER TO AMEND THE COMPREHENSIVE PLAN; AND PROVIDING FOR AN EFFECTIVE DATE.**

Request to incorporate Evaluation and Appraisal Report (EAR) updates, into the Village of Wellington's Comprehensive Plan.

**B. RESOLUTION R2008-141 (APPROVING THE PLAT OF WELLINGTON GREEN, A MUPD/PUD, A REPLAT OF A PORTION OF PARCEL 1)**

**A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF WELLINGTON, FLORIDA ACCEPTING AND APPROVING THE PLAT OF WELLINGTON GREEN, A MUPD/PUD, BEING A REPLAT OF A PORTION OF PARCEL 1, WELLINGTON GREEN, A MUPD/PUD; AUTHORIZING THE MAYOR AND VILLAGE CLERK TO EXECUTE THE PLAT; AND PROVIDING AN EFFECTIVE DATE.**

Authorization to accept and approve the Wellington Green, a MUPD/PUD, being a replat of a portion of Parcel 1, Wellington Green, a MUPD/PUD as recorded in Plat Book 87, Pages 81 through 90 of the Public Records of Palm Beach County, Florida.

**9. ATTORNEY'S REPORT**

**10. MANAGER'S REPORT & UPDATES**

**11. COUNCIL REPORTS**

**12. CLOSING COMMENTS**

**13. PUBLIC FORUM**

**14. ADJOURNMENT**

**NOTICE**

If a person decides to appeal any decision made by the Village Council with respect to any matter considered at this meeting, you will need a record of the proceedings, and you may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. (The above notice is required by State Law. Anyone desiring a verbatim transcript shall have the responsibility, at his own cost, to arrange for the transcript).

Pursuant to the provision of the Americans With Disabilities Act: any person requiring special accommodations to participate in these meetings, because of a disability or physical impairment, should contact the Village Manager's Office (561) 791-4000 at least five calendar days prior to the Hearing.